IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C.R.No.6229 of 2006
Date of Decision : December 01, 2006.

Satish Kumar and another ..... Petitioners

Vs.

Rajender Kumar ..... Respondent

Coram : Hon'ble Mr.Justice P.S.Patwalia

* * *

Present : Mr.Ashok Singla, Advocate
for the petitioners.

Mr.M.S.Khaira, Senior Advocate
with Mr.Abinashi Singh, Advocate
for the respondent-caveator.

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P.S.Patwalia, J. (Oral) :

Learned counsel for the parties are agreed that this revision petition can be disposed of with the following directions :-

(i) The petitioner-plaintiffs would be given two effective opportunities by the trial court to conclude their entire evidence.

(ii) The respondent-defendant would also be given two effective opportunities by the trial court within which they would conclude their entire evidence.

(iii) The trial court would make every endeavour to decide the suit as expeditiously as possible but in any case within a period of one year from the date a certified copy of this order is received.

(iv) During the pendency of the proceedings before the trial court, parties are agreed that Mr. Sham Sunder Mangla, Chartered

Accountant who is allegedly belonging to the same village will oversee the accounts maintained by the respondent. He would keep a faithful account of the bricks which are produced in the kiln and sold as also the sale proceeds received thereof. At the outset he would also take into account the entire stock which is at present lying in and around the kiln. He would also oversee the accounts of the kiln for the last two weeks prior to the date of this order. The accounts as regulated and overseen by him would be produced before the trial court as and when the same are required by the trial court. Ultimately the accounts would be settled in terms of the final order to be made by the trial court in the suit.

(v) Lastly for the aforesaid purpose a reasonable retainer shall be paid to Mr. Sham Sunder Mangla, Chartered Accountant every month. The same shall be determined by the trial court in the presence of counsel for both the parties and also Mr.Sham Sunder Mangla.

Accordingly the present revision petition is disposed of in the aforesaid terms.

December 01, 2006 (P.S.Patwalia)
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